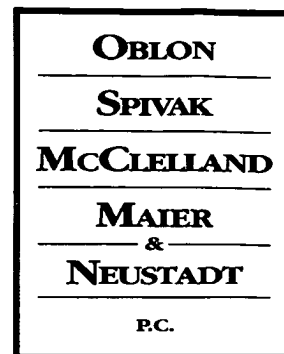




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ATTN: LICENSING AND REVIEW

**THIS IS A RESPONSE TO A
NOTICE OF AEC STATEMENT**

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Yuusuke SATO, et al.
Serial No: 10/810,715
Filed: March 29, 2004
For: FUEL CELL SYSTEM

SIR:

Attached hereto for filing are the following papers:

Filing of Statement Under 42 USC 2182 (AEC)
Statement Under 42 USC 2182 (AEC)(2 pages)

Our check in the amount of \$0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Docket No. 251072US3RD

Customer Number

22850

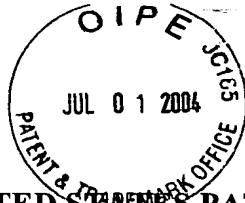
Tel. (703) 413-3000
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(OSMMN 05/03)
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C. Irvin McClelland

Registration No. 21,124

James D. Hamilton
Registration No. 28,421

Application No. 10/810,715
Reply to Notice of May 17, 2004
Docket No. 251072US3RD



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yuusuke SATO, et al.

SERIAL NUMBER: 10/810,715

ATTN: APPLICATION BRANCH

FILING DATE: March 29, 2004

FOR: FUEL CELL SYSTEM

STATEMENT UNDER 42 USC 2182 (AEC)

ASSISTANT COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

We, Yuusuke SATO, Kaoru FUJIMOTO, Kenji ASAMI, Yoshiyuki ISOZAKI, being the Inventors herein, declare that we are the Applicants in the above-identified Application, and that the full facts concerning the circumstances under which the present invention was made and the relation of such invention to the performance of any work under any contract subcontract or arrangement entered into with or for benefit of the Department of Energy are as follows:

1. That the above invention was made, conceived and practice entirely on the time and efforts of the Applicants and at the sole expense and for the sole benefit of Applicants' Assignee, KABUSHIKI KAISHA TOSHIBA., with offices at 1-1, Shibaura 1-chome, Minato-ku Tokyo, Japan. during the course of regular employment with said company at the facilities of KABUSHIKI KAISHA TOSHIBA., at 1-1, Shibaura 1-chome, Minato-ku Tokyo, Japan.

2. The invention or discovery was not made, or conceived in the course of, or in connection with, or under any contract, subcontract, or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors Energy Research and Development Administration or the Department of Energy.

The undersigned Inventors declare further that all statements made herein of their own knowledge are true and that all statement made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date June 22, 2004

Yuusuke SATO

Date June 22, 2004

Kaoru FUJIMOTO

Application No. 10/810,715
Reply to Notice of May 17, 2004

STATEMENT UNDER 42 USC 2182 (AEC)

Date June 22, 2004

Date June 22, 2004

Kenji Asami

Kenji ASAMI

Yoshiyuki Isozaki

Yoshiyuki ISOZAKI